

REMARKS

Claims 1-32 are pending in the application; Claims 11-32 are cancelled as withdrawn from consideration; Claims 1-10 stand rejected. By this amendment, Claims 1 and 10 have been amended and claim 9 has been cancelled and new claims 33-35 have been added.

Basis for the amendments can be found in the application and claims as originally filed. For example, in the specification at page 5, line 23; page 1, lines 20-26 and page 18, lines 1 to 3. These amendments/new claims add no new matter to the application.

Claims 1-7 are rejected under 35 USC 102(b) as allegedly anticipated by Castillo. Without acquiescing to the rejections, applicants have amended the pending claims. Reconsideration and removal of the rejection are requested in view of the claim amendments and remarks herein. Claims 1 and 10 have been amended to specify that the SGAG is immobilized by allowing the SGAG to air dry on the medium. In contrast to the claimed method, the solid-phase binding immunoassay of Castillo is designed to examine molecular binding affinities in a liquid phase (not a method of plaque induction) as described beginning on page 2454, column 1, line 3 to column 2, line 11. The results of the assay are discussed on page 2455 in the paragraph under the heading "*Binding of both A β (1-40) and A β (1-42) to substrate-bound EHS perlecan*". The immunoassay of Castillo involves binding perlecan to a solid substrate by incubating a liquid mixture of the GAG overnight at 4°C. Subsequently, unbound GAG is eliminated (so as not to confound the binding affinity determination) by removing the liquid supernatant and washing the solid substrate. After an intervening series of steps, A β is added in liquid phase and allowed to react overnight at 4°C before further steps are performed to detect the degree of A β bound. Having regard to the claims as amended, Applicant submits that all of the elements of the claimed method for the induction of amyloid plaques are not taught by Castillo. Applicant respectfully requests that the rejection be withdrawn.

Claims 1-8 are rejected under 35 USC 103(a) as allegedly obvious over Castillo in view of Cross and Claims 1-10 as allegedly obvious over Castillo in view of Cross and further in view of Roach. Applicant submits that the primary reference fails to teach all of the elements of the claimed method and it is therefore an improper 103 reference and cannot be used to build a 103 rejection. The entire 103 rejection thus fails and

should be withdrawn.

The Examiner has put forth a provisional nonstatutory double patenting rejection. Applicant submits that once some indication of allowable claims is made, a terminal disclaimer will be filed.

Applicant believes it has responded fully to all of the Examiner's concerns. If the Examiner has any further concerns, Applicant urges a call to Patrick Dwyer at (425) 823-0400.

Respectfully submitted,

A handwritten signature in black ink that reads "Patrick Dwyer". The signature is written in a cursive, slightly slanted style.

PATRICK MICHAEL DWYER
Reg. No. 32,411

PROTEOTECH, INC.
12040 115TH AVE NE
KIRKLAND, WA 98034